

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.08.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.20201 of 2018 and
WMP.No.23672/2018

S.Anandan

...Petitioner

Versus

1. Murthy

2. The Inspector of Police,
H.5 Police Station,
New Washermenpet,
Chennai-81.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent police officials not to give any permission to the 1st respondent or his men and agents, organizing or conducting Aadi Festival or any other festival and also any cultural program to the A/M.Annai Shree Renuka Desamariamman Temple situated at Desiya Nagar, New Washermenpet, Chennai-81.

For Petitioner : Mr.D.Gopinathan

For 2nd Respondent : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 2nd respondent police officials not to give any permission to the 1st respondent or his men and agents, organizing or conducting Aadi Festival or any other festival and also any cultural program to the A/M.Annai Shree Renuka Desamariamman Temple situated at Desiya Nagar, New Washermenpet, Chennai-81.

2. Heard the learned Counsel appearing for the petitioner.

3. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice for the 2nd respondent.

4. On instructions from the 2nd respondent, the learned Special Government Pleader submitted that there was a Peace Committee Meeting conducted by the Tahsildar, Tondiarpet, Chennai, on the basis of the order to regulate the conduct of the function and sufficient police bandhobust also has been arranged. Therefore, it is too late for the petitioner to come to this Court. Further, it appears that the petitioner has already filed Crl.O.P.No.18562 of 2018 before this court seeking to use sound amplifiers (Sound Services) to conduct Aadi Festival to A/M.Sri Renuka Desa Mari Amman Temple, Desiya Nagar, New Washerment pet, Chennai-81 scheduled to be held on 3.8.2018 to 7.8.2018 based on his representation dated 10.7.2018 and this Court by order dated 24.7.2018 closed the same with a direction to the respondent police therein to deal with the request of the petitioner on merits. That apart, it appears that this Court has already granted permission to conduct the temple permission in W.P.No.19062 of 2018 dated 26.7.2018 in respect of the same temple. It is also to be noted that a civil dispute in O.S.No.1273/2016 is pending before the XI City Civil Court, Chennai in this regard. Under such circumstances, this Court is not inclined to entertain the present Writ Petition.

5. In the result, the Writ Petition is dismissed with liberty to the petitioner to work out his remedy before the civil court. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

The Inspector of Police,
H.5 Police Station,
New Washermentpet,
Chennai-81.

+1cc to Mr.D.GOPINATHAN, Advocate, S.R.No. 53501
+1cc to the Government Pleader, S.R.No. 54039

W.P.No.20201 of 2018

TR(21/08/2018)